



# California Regional Water Quality Control Board

## Santa Ana Region



Linda S. Adams  
Secretary for  
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Arnold Schwarzenegger  
Governor

November 19, 2007

Johanna Page  
Southern California Edison  
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Rosemead, CA 91770

### **CLEAN WATER ACT SECTION 401 WATER QUALITY STANDARDS CERTIFICATION FOR THE PROPOSED RANCHO VISTA SUBSTATION, CITY OF RANCHO CUCAMONGA, COUNTY OF SAN BERNARDINO (ACOE REFERENCE NO. NOT AVAILABLE)**

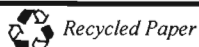
Dear Ms. Page:

On August 29, 2007, we received an application for Clean Water Act Section 401 Water Quality Standards Certification (Certification) for proposed road improvements associated with the construction of the Rancho Vista substation in the City of Rancho Cucamonga, San Bernardino County. This letter responds to your request for certification that the proposed project, described in your application and summarized below, will comply with State water quality standards outlined in the Water Quality Control Plan for the Santa Ana River Basin (1995) and subsequent Basin Plan amendments:

**Project Description:** Widening of a 2,600-foot long portion of 6<sup>th</sup> Street in the vicinity of the proposed Rancho Vista substation. The widening will impact an ephemeral riparian drainage as the result of extending storm drain inlet structures for culverts beneath 6<sup>th</sup> Street. The Rancho Vista substation is a new 500/220 kV substation located on 63 acres of a 90-acre site owned by Southern California Edison (SCE). The facility will be un-manned and will consist of various pieces of electrical equipment mounted on concrete pads. Most of the site will be paved with gravel. The road widening is located within Section 17 of Township 1 South, Range 6 West of the U.S. Geological Survey *Gausti, California* and *Tustin, California* 7.5-minute topographic quadrangle maps (34 deg. 05 min. 10.99 sec. N/-117 deg. 31 min. 46.30 sec. W).

**Receiving water:** Un-named riparian drainage tributary to Day Creek.

***California Environmental Protection Agency***



Fill area: 0.233 acres of permanent impact to riparian drainage (250 linear feet).

Dredge/Fill volume: Not Applicable

Federal permit: U.S. Army Corps of Engineers Nationwide Permit No. 14.

You have proposed to mitigate water quality impacts as described in your Certification application and subsequent submittals. The proposed mitigation is summarized below:

Onsite Water Quality Standards Mitigation Proposed:

- Discharges from the substation will be treated using a hydrodynamic separator, to be maintained by SCE.
- Additional site-specific best management practices (BMPs) are specified in the site's Storm Water Pollution Prevention Plan (SWPPP) and final Water Quality Management Plan (WQMP).

Offsite Water Quality Standards Mitigation Proposed:

- An in-lieu fee will be paid to the Santa Ana Watershed Association towards the creation of 0.47 acres of riparian habitat.

Should the proposed project impact state- or federally-listed endangered species or their habitat, implementation of measures identified in consultation with U.S. Fish and Wildlife Service and the California Department of Fish and Game will ensure those impacts are mitigated to an acceptable level. Appropriate Best Management Practices will be implemented to reduce construction-related impacts to Waters of the State. This project is over one acre. Therefore, coverage under the State Water Resources Control Board's General Permit for Storm Water Discharges Associated with Construction Activity, Water Quality Order 99-08 DWQ, is required, as is development of a Storm Water Pollution Prevention Plan to control discharges from the project site.

You have submitted an application for a Permit from the U.S. Army Corps of Engineers in compliance with Section 404 of the Clean Water Act. You have applied for a Streambed Alteration Agreement with the California Department of Fish and Game. Pursuant to the California Environmental Quality Act (CEQA), the Executive Officer has determined that the project is categorically exempt from provisions of CEQA under Guidelines Section 15303 for the construction of small new facilities.



**This 401 Certification is contingent upon the execution of the following conditions:**

1. The proposed hydrodynamic separator must be constructed and operational prior to the submission of a Notice of Termination under the requirements of Water Quality Order No. 99-08 DWQ.
2. SCE must pay an in-lieu fee to the Santa Ana Watershed Association or the Riverside County Regional Park and Open Space District towards the eradication of 0.47 acres of invasive plant species. The fee must include a minimum of 6-years of follow-on maintenance. Evidence of the payment must be provided to the Executive Officer by January 19, 2008.
3. Regional Board staff and other authorized representatives must be allowed:
  - a. Entry upon premises where storm water treatment facilities are located, or where records are kept under the requirements of this Certification or applicable waste discharge requirements;
  - b. Access to copy any records that are kept under the requirements of this Certification or applicable waste discharge requirements;
  - c. To inspect any facility, equipment (including monitoring and control equipment), practices, or operations related to the treatment of storm water runoff from the project site; and
  - d. To photograph, sample and monitor for the purpose of assuring compliance with this Certification or applicable waste discharge requirements.
4. This Certification and any subsequent amendments shall be maintained on site as a denoted element of any SWPPP or WQMP.

**Under California Water Code, Section 1058, and Pursuant to 23 CCR §3860, the following shall be included as conditions of all water quality certification actions:**

- (a) Every certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Section §13330 of the Water Code and Article 6 (commencing with Section 3867) of this Chapter.
- (b) Certification is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a FERC license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to Subsection §3855(b) of this Chapter and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.

- (c) Certification is conditioned upon total payment of any fee required under this Chapter and owed by the applicant.

Although we anticipate no further regulatory involvement, if the above stated conditions are changed, any of the criteria or conditions as previously described are not met, or new information becomes available that indicates a water quality problem, we may formulate Waste Discharge Requirements.

In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under state law. For purposes of section 401(d) of the Clean Water Act, the applicability of any state law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification.

In response to a suspected violation of any condition of this certification, the Santa Ana Regional Water Quality Control Board (Regional Board) may require the holder of any permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the Regional Board deems appropriate. The burden, including costs, of the reports shall be reasonable in relation to the need for the reports and the benefits to be obtained from the reports.

In response to any violation of the conditions of this certification, the Regional Board may add to or modify the conditions of this certification as appropriate to ensure compliance. Pursuant to California Code of Regulations Section 3857, we will take no further action on your application. Please notify our office five (5) days before construction begins on this project.

This letter constitutes a Water Quality Standards Certification issued pursuant to Clean Water Act Section 401. I hereby issue an order certifying that any discharge from the referenced project will comply with the applicable provisions of Sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act, and with other applicable requirements of State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003-0017-DWQ (Order No. 2003-0017-DWQ), "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received Water Quality Certification" which requires compliance with all conditions of this Water Quality Standards Certification. Order No. 200-0017-DWQ is available at [www.swrcb.ca.gov/resdec/wqorders/2003/wqo/wqo2003-0017.pdf](http://www.swrcb.ca.gov/resdec/wqorders/2003/wqo/wqo2003-0017.pdf)



Should there be any questions, please contact Adam Fischer at (951) 320-6363, or Mark Adelson at (951) 782-3234.

Sincerely,



GERARD J. THIBEAULT  
Executive Officer

cc (via electronic mail):

U. S. Army Corps of Engineers, Los Angeles Office – Gerry Salas  
State Water Resources Control Board, OCC – Erik Spiess  
State Water Resources Control Board, DWQ-Water Quality Certification Unit –  
Bill Orme  
California Department of Fish and Game, Ontario Office – Jeff Brandt  
U.S. EPA, Supervisor of the Wetlands Regulatory Office WTR- 8 – Eric Raffini  
and David Smith

APF:401/certifications/rancho vista substation 362007-29

